

FILED US District Court-UT
OCT 18 '23 PM 12:58

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SEALED

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE MANUEL BARBOSA TORRES,
ARMANDO FIGUEROA Jr.,
CECILIO LUIS ARRIAGA, and
ILIANA DENNIS,

Defendants.

INDICTMENT

VIOLATIONS:

Counts I, II, and IV: 18 U.S.C. §
922(a)(6), False Statement During
Acquisition or Attempted Acquisition of a
Firearm (BARBOSA TORRES);

Counts III and V: 18 U.S.C. §§ 922(a)(6)
and 2, False Statement During
Acquisition of a Firearm, Aiding and
Abetting (FIGUEROA Jr. and
BARBOSA TORRES);

Count VI: 18 U.S.C. §§ 922(a)(6) and 2,
False Statement During Acquisition of a
Firearm, Aiding and Abetting
(ARRIAGA, FIGUEROA Jr., and
BARBOSA TORRES);

Count VII: 18 U.S.C. §§ 922(a)(6) and 2,
False Statement During Attempted
Acquisition of a Firearm, Aiding and
Abetting (DENNIS and BARBOSA
TORRES).

Case: 2:23-cr-00383
Assigned To : Sam, David
Assign. Date : 10/18/2023

The Grand Jury charges:

COUNT I

18 U.S.C. § 922(a)(6)

(False Statement During Acquisition of a Firearm)

On or about April 3, 2023, in the District of Utah,

JOSE MANUEL BARBOSA TORRES,

defendant herein, in connection with the acquisition of a firearm, to wit: a Barrett 82A1 .50 BMG caliber rifle, from a licensed firearm dealer within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement intended and likely to deceive the firearm dealer with respect to any fact material to the lawfulness of such acquisition of the firearms, in that he falsely answered “yes” on an ATF 4473 Form asking whether he was the actual transferee/buyer of the firearm, and, as he then knew, his answer was untrue, all in violation of 18 U.S.C. § 922(a)(6), and punishable pursuant to 18 U.S.C. § 924(a)(2).

COUNT II

18 U.S.C. § 922(a)(6)

(False Statement During Acquisition of a Firearm)

On or about July 13, 2023, in the District of Utah,

JOSE MANUEL BARBOSA TORRES,

defendant herein, in connection with the acquisition of a firearm, to wit: a Barrett M82A1 .50 BMG caliber rifle, from a licensed firearm dealer within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement

intended and likely to deceive the firearm dealer with respect to any fact material to the lawfulness of such acquisition of the firearms, in that he falsely answered “yes” on an ATF 4473 Form asking whether he was the actual transferee/buyer of the firearm, and, as he then knew, his answer was untrue, all in violation of 18 U.S.C. § 922(a)(6), and punishable pursuant to 18 U.S.C. § 924(a)(2).

COUNT III

18 U.S.C. §§ 922(a)(6) and 2

(False Statement During Acquisition of a Firearm, Aiding and Abetting)

On or about July 17, 2023, in the District of Utah,

ARMANDO FIGUEROA Jr. and
JOSE MANUEL BARBOSA TORRES,

defendants herein, in connection with the acquisition of a firearm, to wit: a Barrett 82A1 .50 BMG caliber rifle, from a licensed firearm dealer within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement intended and likely to deceive the firearm dealer with respect to any fact material to the lawfulness of such acquisition of the firearm, in that FIGUEROA Jr. falsely answered “yes” on ATF Form 4473 asking whether he was the actual transferee/buyer of the firearm, and, as he then knew, his answer was untrue, and BARBOSA TORRES did aid and abet therein, all in violation of 18 U.S.C. §§ 922(a)(6) and 2, and punishable pursuant to 18 U.S.C. § 924(a)(2).

COUNT IV

18 U.S.C. § 922(a)(6)

(False Statement During Attempted Acquisition of a Firearm)

On or about August 7, 2023, in the District of Utah,

JOSE MANUEL BARBOSA TORRES,

defendant herein, in connection with the attempted acquisition of a firearm, to wit: a Ohio Ordnance M2-SLR .50 BMG caliber rifle, from a licensed firearm dealer within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement intended and likely to deceive the firearm dealer with respect to any fact material to the lawfulness of such acquisition of the firearms, in that he falsely answered “yes” on an ATF 4473 Form asking whether he was the actual transferee/buyer of the firearm, and, as he then knew, his answer was untrue, all in violation of 18 U.S.C. § 922(a)(6), and punishable pursuant to 18 U.S.C. § 924(a)(2).

COUNT V

18 U.S.C. §§ 922(a)(6) and 2

(False Statement During Acquisition of a Firearm, Aiding and Abetting)

On or about August 12, 2023, in the District of Utah,

ARMANDO FIGUEROA Jr. and
JOSE MANUEL BARBOSA TORRES,

defendants herein, in connection with the acquisition of a firearm, to wit: a Barrett 82A1 .50 BMG caliber rifle, from a licensed firearm dealer within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement

intended and likely to deceive the firearm dealer with respect to any fact material to the lawfulness of such acquisition of the firearm, in that FIGUEROA Jr. falsely answered “yes” on ATF Form 4473 asking whether he was the actual transferee/buyer of the firearm, and, as he then knew, his answer was untrue, and BARBOSA TORRES did aid and abet therein, all in violation of 18 U.S.C. §§ 922(a)(6) and 2, and punishable pursuant to 18 U.S.C. § 924(a)(2).

COUNT VI

18 U.S.C. §§ 922(a)(6) and 2
(False Statement During Acquisition of a Firearm, Aiding and Abetting)

On or about August 12, 2023, in the District of Utah,

CECILIO LUIS ARRIAGA,
ARMANDO FIGUEROA Jr., and
JOSE MANUEL BARBOSA TORRES,

defendants herein, in connection with the acquisition of a firearm, to wit: a Barrett M82A1 .50 BMG caliber rifle, from a licensed firearm dealer within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement intended and likely to deceive the firearm dealer with respect to any fact material to the lawfulness of such acquisition of the firearm, in that ARRIAGA falsely answered “yes” on ATF Form 4473 asking whether he was the actual transferee/buyer of the firearm, and, as he then knew, his answer was untrue, and FIGUEROA Jr. and BARBOSA TORRES did aid and abet therein, all in violation of 18 U.S.C. §§ 922(a)(6) and 2, and punishable pursuant to 18 U.S.C. § 924(a)(2).

COUNT VII

18 U.S.C. §§ 922(a)(6) and 2

(False Statement During Attempted Acquisition of a Firearm, Aiding and Abetting)

On or about August 17, 2023, in the District of Utah,

ILIANA DENNIS
and JOSE MANUEL BARBOSA TORRES,

defendants herein, in connection with the attempted acquisition of a firearm, to wit: a Barrett M82A1 .50 BMG caliber rifle, from a licensed firearm dealer within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement intended and likely to deceive the firearm dealer with respect to any fact material to the lawfulness of such acquisition of the firearm, in that DENNIS falsely answered “yes” on ATF Form 4473 asking whether she was the actual transferee/buyer of the firearm, and, as she then knew, her answer was untrue, and BARBOSA TORRES did aid and abet therein, all in violation of 18 U.S.C. §§ 922(a)(6) and 2, and punishable pursuant to 18 U.S.C. § 924(a)(2)

NOTICE OF INTENT TO SEEK FORFEITURE

Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction for any offense violating 18 U.S.C. § 922, the defendants shall forfeit to the United States of America any firearm or ammunition involved in or used in the commission of the offense, including but not limited to:

- Barrett M82A1 .50 BMG caliber rifle, s/n AA016471

A TRUE BILL:

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FOREPERSON OF GRAND JURY

TRINA A. HIGGINS
United States Attorney

Victoria K. McFarland
VICTORIA K. McFARLAND
Assistant United States Attorney